

8462. Misbranding of Injection Zip. U. S. * * * v. 42 Bottles, 9 Dozen Bottles, and 6 Dozen Bottles of Injection Zip. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10351, 10352, 10353. I. S. Nos. 7777-r, 7778-r, 7786-r. S. Nos. C-1224, C-1225, C-1230.)

On May 17, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 42 bottles, 9 dozen bottles, and 6 dozen bottles of Injection Zip, consigned by the Baker-Levy Chemical Co., Indianapolis, Ind., October 30, 1918, January 21, 1919, and October 29, 1918, respectively, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of Indiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of acetates and sulphates of zinc and lead, opium, and berberine, in alcohol and water.

Misbranding of the article was alleged in substance in the libel for the reason that the bottle label and accompanying circular bore and contained statements regarding the curative or therapeutic effect thereof, to wit, (bottle) "Injection Zip. * * * This injection is an excellent preparation and cannot produce stricture. Relief being speedy. Shake the bottle," (circular) * * * for Male or Female. To be used for Gonorrhœa, Gleet, and Leucorrhœa. * * * For the Treatment of Gonorrhœa, Gleet, and Leucorrhœa for Male or Female. * * * a tried preparation for the above diseases * * *. Ladies troubled with Leucorrhœa (Whites) will obtain a speedy relief. * * * will aid the most obstinate cases in from four to five days * * *," which were false and fraudulent in that said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that said article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On September 19, 1919, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8463. Misbranding of H. G. C. U. S. * * * v. 2½ Dozen Bottles of H. G. C. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10372. I. S. No. 7790-r. S. No. C-1251.)

On May 28, 1919, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2½ dozen bottles of an article of drugs, labeled in part "H. G. C. * * * Manufactured by the Acme Chemical Mfg. Co., New Orleans, La.," consigned October 5, 1918, remaining unsold at Cincinnati, Ohio, alleging that the article had been transported from the State of Louisiana into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of 2 preparations, a liquid consisting of a yellow aqueous solution of berberine and borax, and a solid composed of magnesium sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that the bottle label, carton, and accompanying circular bore certain statements regarding the curative or therapeutic effect of the article, to wit, (label) "H. G. C. A non poisonous injection for gonorrhœa and gleet * * * For male and female use * * * Does not cause pain or injury," (carton) "H. G. C. A safe and non poisonous injection for gonorrhœa and gleet in either sex. Non injurious injection for gonorrhœa and gleet for male and female," (circular) "* * * For leucorrhœa and whites in females * * * for catarrhal conditions, coryza, nasal catarrh, cold in the head, chronic catarrh of the head * * * conjunctivitis, catarrh of the mucous membrane covering the inner surface of the eyelids * * * Cystitis, inflammation of the bladder * * * Hæmorrhoids, piles * * *. For ulcers and open sores it has antiseptic and healing qualities * * *," which were false and fraudulent in that said drug contained no ingredients or combination of ingredients capable of producing the effects claimed, and in that said product was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended in the aforesaid statements.

On September 19, 1919, no claimant having appeared for the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S464. Adulteration of catsup. U. S. * * * v. 195 Cases of Del Monte Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10432. I. S. No. 15377-r. S. No. E-1392.)

On May 27, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 195 cases of Del Monte tomato catsup, remaining in the original unbroken cases at Norfolk, Va., alleging that the article had been shipped by the Utah Packing Corporation, Ogden, Utah, December 5, 1918, and transported from the State of Utah into the State of Virginia, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, that is to say, the said article contained and consisted in part of molds, yeasts, spores, bacteria, and molded tissue.

On December 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

S465. Misbranding of B-I-F. U. S. * * * v. 33 Cartons of Smaw's B-I-F Combination. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10535. I. S. No. 15845-r. S. No. E-1506.)

On June 10, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 33 cartons of Smaw's B-I-F Combination, remaining in the original unbroken packages at Berkley, Va., alleging that the article had been shipped by the W. H. Smaw Drug Co., Baltimore, Md., on or about May 6, 1919, and transported from the State of Maryland into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.